



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

House: MOE DPA 6-4-0-0 | 3rd Read: 31-27-1-0-1

HB 2560: images; voter lists; records; contest.

Sponsor: Representative Toma, LD 27

Transmitted to the Governor

Overview

Directs the County Recorder to transmit to the Secretary of State to post on a secure website: a list of all registered voters before an election, a list of all persons who voted in the election, the unaltered images of ballots used to tabulate election results and the *cast vote record* in a sortable format.

History

Arizona Voter Identification Database

As of 2019, the State of Arizona has operated a voter registration and election management system called the Arizona Voter Information Database (AVID). 13 counties directly use AVID to input voter registration and election information while Maricopa and Pima County have individual systems that are linked to AVID through an interface. The statewide database is administered by the Secretary of State and individual voter registration records are entered into the system by the County Recorder ([A.R.S. § 16-168](#), [EPM](#)).

Digital Ballot Images

While not all systems capture digital ballot images, systems that do capture digital ballot images must meet certain minimum requirements to demonstrate the functionality of the system, as specified by the Secretary of State. The demonstration of functionality test includes an examination of whether the system produces digital images of readable quality and whether the digital images are capable of being sorted by criteria ([EPM](#)).

Secured Registrants

An individual may request voter registration records from either the Secretary of State or the County Recorder. Certain individual's voter registration records must be generally shielded from public disclosure. There are three categories of secured registrants: 1) protected government officials; 2) protected victims; and 3) individuals enrolled in the Secretary of State's Address Confidentiality Program (ACP). The Secretary of State provides ACP participants with substitute addresses for public disclosure purposes (A.R.S. §§ [16-153](#), [41-162](#)).

Provisions

Pre-Election Voter Registration List

1. Instructs the County Recorders to prepare a list of all registered voters, including persons on the inactive voter list, at least 10 days before each election. (Sec. 1)
2. Limits the information the County Recorders may include in the specified voter registration list to the voters' full registered names, years of birth, street addresses and precinct numbers. (Sec. 1)
3. Specifies the list may include secured registrants and voters enrolled in ACP by total number only. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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4. Directs the County Recorders to transmit the list to the Secretary of State who is instructed to immediately post the information on a secure website in a convenient downloadable format. (Sec. 1)
5. Prohibits the County Recorders from including any *personal identifying information* in the list transmitted to the Secretary of State. (Sec. 1)

Post-Election Requirements

6. Directs the County Recorder or county officer in charge of elections to submit the following information to the Secretary of State for posting no later than 48 hours after the official county canvass:
 - a) A list of all persons who voted in the election;
 - b) The unaltered images of all ballots used in the tabulation of the election; and
 - c) The *cast vote record* in a sortable format. (Sec. 1)
7. Specifies the list of persons who voted in the election must be limited to the voters' names, years of birth, street addresses and precinct numbers. (Sec. 1)
8. Instructs the County Recorder or officer in charge of elections to include only the total number of secured registrants and ACP enrollees in the list of persons who voted in the election. (Sec. 1)
9. Prohibits the County Recorder from including any *personal identifying information* in the transmission to the Secretary of State. (Sec. 1)
10. Specifies the County Recorder or county officer in charge of elections does not need to transmit images of original large format braille ballots, Uniformed and Overseas Citizens Absentee Voting Act ballots and summary reports for each batch for counties whose election management system does not tie images or electronically adjudicated ballots to underlying ballot images. (Sec. 1)
11. States if a ballot has been adjudicated or duplicated, the adjudicated or duplicated ballot image must be transmitted together with the original ballot image. (Sec. 1)
12. Specifies, for duplicated ballots, if an image of the original ballot was created during the duplication process, the image of the original ballot must also be transmitted. (Sec. 1)

Electronic Data Portal

13. Directs the Secretary of State to establish and administer an electronic portal to manage requests for access to the materials made available by this law. (Sec. 1)
14. Requires the following information to be submitted to the Secretary of State following a request for access to the electronic data portal:
 - a) The name, address, email address, telephone number and proof of identity of the person; and
 - b) A signed declaration stating the person will not use the material for commercial purposes or voter intimidation and will not alter the ballot images. (Sec. 1)

Precincts and Precinct Splits

15. Prescribes the following requirements for precincts and precinct splits that contain fewer than 25 registered voters:
 - a) Only the total number of voters may be included in the specified voter lists; and
 - b) Only the total number of ballot images and cast vote records may be transmitted to the Secretary of State. (Sec. 1)

Miscellaneous

16. Requires the County Recorder or county officer in charge of elections to store paper ballots in a manner that allows for convenient retrieval. (Sec. 1)
17. Prohibits the use of any portion of a voter list or ballot image made available by this law for any commercial purposes. (Sec. 1)
18. Specifies that certain information, such as precinct numbers and precinct split information, must be suppressed from the specified voter lists for secured registrants and ACP enrollees. (Sec. 1)
19. Exempts the Secretary of State, County Recorder or other county officer in charge of elections from liability concerning any personal identifying information, handwritten statements or other notations made or provided by the voter that are included in the ballot images. (Sec. 1)
20. States a person who uses any portion of a voter list made available by this law for commercial purposes or a person who alters any information or images received through the electronic data portal is guilty of a class 5 felony. (Sec. 1)
21. Prohibits the Secretary of State, County Recorder or county officer in charge of elections from altering or adding any voter data as part of any security measure used to implement this law. (Sec. 1)
22. Increases the time period in which an elector may contest an election from five days to seven days after the completion of the canvass. (Sec. 2)
23. Defines *cast vote record* and *personal identifying information*. (Sec. 1)
24. Makes technical changes. (Sec. 2)